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10 **UNITED STATES DISTRICT COURT**
 11 **SOUTHERN DISTRICT OF CALIFORNIA**

12
 13 OUTERBRIDGE ACCESS
 ASSOCIATION, SUING ON BEHALF OF
 14 DIANE CROSS; and DIANE CROSS, An
 Individual,

16 Plaintiff,

17 vs.

18 MARIE CALLENDER'S PIE SHOPS,
 19 INC. d.b.a. MARIE CALLENDER'S #254;
 PACIFIC BAGELS, LLC d.b.a.
 20 BRUEGGARS BAGELS; COURTYARD
 HOLDINGS, LP; PSS PARTNERS, LLC;
 21 AND DOES 1 THROUGH 10, Inclusive,

22 Defendants.

Case No. 07-CV-2129 BTM (AJB)

APPENDIX OF FOREIGN
 AUTHORITIES CITED IN SUPPORT
 OF DEFENDANTS' (1) MOTION TO
 DISMISS PORTIONS OF
 PLAINTIFFS' COMPLAINT AND (2)
 FOR ORDER DECLINING
 SUPPLEMENTAL JURISDICTION

[*Notice of Motion, Memorandum of Points
 and Authorities and Request for Judicial
 Notice filed concurrently herewith*]

Date: January 25, 2008
 Time: 11:00 a.m.
 Ctrm: 15

**Per Chambers, no oral argument unless
 required by the court.*

Complaint Filed: November 7, 2007
 Trial Date: None Set

1 TO PLAINTIFFS AND THEIR COUNSEL OF RECORD:

2 Pursuant to California Rule of Court 313(h), Defendant Marie Callender's Pie
 3 Shops, Inc. d.b.a. Marie Callender's #254 attaches a copy of the following foreign
 4 authorities cited in support of its Motion to Dismiss Portions of Plaintiffs' Complaint
 5 and for Order Declining Supplemental Jurisdiction:

6 1. Access 123 v. Markey's Lobster Pool, Inc., 2001 WL 920051, *4 (D.N.H.
 7 Aug. 14, 2001);

8 2. Access 4 All, Inc. v. Wintergreen Commercial Partnership, 2005 WL
 9 2989307, *3 (N.D. Tex. Nov. 7, 2005);

10 3. Cross v. Plaza Park Inv., L.P., 2007 WL 951772 * 6 (S.D. Cal. 2007);

11 4. DeLil v. El Torito Rest., 1997 WL 714866, at *5 (N.D. Cal. June 24,
 12 1997);

13 5. Eiden v. Home Depot USA, Inc., 2006 WL 1490418 * 10 (E.D. Cal. 2006);

14 6. Gunther v. Lin, 50 Cal. Rptr. 317 (2006);

15 7. Hill v. Park, 2004 WL 180044 *5 (E.D. Pa. 2004);

16 8. Martinez v. Longs Drug Stores, Inc., 2005 WL 2072013 (E.D. Cal. Aug.
 17 26, 2005);

18 9. Morgan v. American Stores Co. LLC, 2007 WL 1971945 * 3 (S.D. Cal.
 19 2007);

20 10. Kohler v. Mira Mesa Marketplace West, LLC, 2007 WL 1614883 * 3
 21 (S.D. Cal. 2007);

22 11. Sanford v. Del Taco, Inc., 2006 WL 1310318 (E.D. Cal. 2006);

23 12. Vandeusen v. Adams, 2007 WL 2891502 * 7 (D.S.C. 2007);

24 13. H.R. Rep. No. 101-485 (III), at 67 (1990) (reprinted in U.S.C.C.A.N. 445,
 25 490);

26 14. Cal. Civ. Code §52;

27 15. Cal. Civ. Code §§54.3; and

16. California Practice Guide, Federal Civil Procedure Before Trial, ¶9:77 (Rutter Group 2006);

Dated: November 29, 2007

**CALL, JENSEN & FERRELL
A Professional Corporation**
Scott J. Ferrell
Lisa A. Wegner

By: /s/Lisa A. Wegner
Attorneys for Defendant Marie Callender's
Pie Shops, Inc. d.b.a. Marie Callender's #254